

REMARKS/ARGUMENTS

Favorable reconsideration of this application, as presently amended, and in light of the following discussion, is respectfully requested.

Claims 1-24 are pending in the present application; Claims 1, 4, 10, and 13 having been amended, and claims 22-24 having been added by way of the present amendment.

Applicants acknowledge with appreciation the courtesy of an interview extended by SPE Corsaro and Examiner Chambers during which the amendments to Claim 1 were discussed. During the interview, it appeared that the amended form of claim 1 appeared to distinguish over the prior art, although further searching and consideration was necessary before an allowance was issued.

In the outstanding Office Action, the title was objected to, Claims 4 and 15 were objected to, Claims 1-3, 6-8, 10, 13, 14, and 18-20 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Walbeck et al. (U.S. 7,310,670) in view of Nuss et al. (U.S. 2004/0057469), and other dependent claims were rejected using combinations including Walbeck et al., Nuss et al., and other documents.

The title of the invention was objected to as not being descriptive. Accordingly, the title has been changed. It is noted that the title suggested by the outstanding Office Action has not been used as the suggested title may imply that the invention is limited to a transmitter, whereas independent Claim 10 is directed towards a receiver, and independent Claim 13 is directed to both a transmitter and a receiver.

Accordingly, the objection to the specification is respectfully requested to be withdrawn.

Claims 4 and 15 were objected to. In response to this objection, the word “as” at the end portion of each of these claims has been deleted.

Accordingly, the objection to Claims 4 and 15 is respectfully requested to be withdrawn.

Claims 1-3, 6-8, 10, 13, 14, and 18-20 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Walbeck et al. in view of Nuss et al. This rejection is respectfully traversed.

Independent Claim 1, for example, has been amended to recite a plurality of RF transmitters and antennas configured so that each RF transmitter and antenna corresponds to one of the channels, and transmits the channel information only for the radio frames of the corresponding channel. This claim amendment is supported by, for example, paragraph [0035] of the published application corresponding to the present application. Instead of multiplexing the channels using a single antenna, amended Claim 1 now recites that there are RF (radio frequency) transmitters and antennas which correspond on a one-to-one basis with the channels.

Contrary to amended Claim 1, Nuss et al. discloses a system in which packets are multiplexed over a single communication medium 230. Because of this multiplexing, Nuss et al. finds it desirable to utilize a channel identification tag on a packet-by-packet basis. See paragraph [0026] of Nuss et al. As seen in Figure 2, when multiple channels are sent over a single communication link 230, it allows the communication to be more efficient by aggregating multiple communication channels over this single link 230 which allows avoiding extensive packet buffering. See [0024]. It is firmly asserted that the motivating factor for the use of the channel identification tag in Nuss et al. is to permit the multiplexing of multiple channels over a single communication link 230. If the multiplexing nature of the link 230 were not utilized, there would be no need to have the channel identification tags of Nuss et al.

The amendments to independent Claim 1 make clear that the type of multiplexing done in Nuss et al. is not done in the present invention because each transmitter has its own antenna and these correspond on a one-to-one basis with the channels. Such a feature is clearly different from Nuss et al. and it would not be obvious to apply the system of Nuss et al. to achieve a system as set forth in independent Claim 1.

Walbeck et al. merely relates to a multi-channel power line exchange protocol and does not disclose any identifier which is analogous to the claimed invention. Accordingly, no prior art, either alone or in combination, discloses or suggests a system utilizing channel information which identifies a respective channel when there is a correspondence between the transmitters, antennas, and channels, as set forth in independent Claim 1.

Accordingly, independent Claim 1 is patentable over the prior art.

Independent Claims 10 and 13 are patentable for reasons analogous to the patentability of Claim 1 and the rejection of these independent claims should similarly be withdrawn. Moreover, independent claim 10 has been amended to recite that the processing of the channel information by the receiver is carried out using only the MAC layer. This feature is neither disclosed nor suggested by the prior art, and is an advantage achieved by encoding the channel information, as claimed.

The dependent claims are patentable for at least the reasons the independent claims from which they depend are patentable.

Added dependent claims 22-24 recite that each channel uses a different portion of a usable frequency band. These claims are supported at least by Figure 2 and paragraph [0034] of the published application corresponding to this application. These claims further emphasize the feature of each channel being defined by a frequency band.

Consequently, in light of the above discussion and in view of the present amendment, the present application is in condition for formal allowance and an early and favorable action to that effect is requested.

Respectfully submitted,

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